

# THE SECURITY OF NETWORKS AND INFORMATION SYSTEMS LAW , 2020

Decision under sections 17(q), 17(r), 17(s), 17(v), 17(x), 17(ee), 19(1)(a), 19(1)(b), 19(1)(c), 20(1)(a), 20(1)(b), 20(1)(c), 20(1)(d), 20(1)(e), 35, 36, 37, 38, 40, 43 and 46

Preamble.  
89(I)/2020.

In exercise of the powers vested in it under sections 17(q), 17(r), 17(s), 17(v), 17(x), 17(ee), 19(1)(a), 19(1)(b), 19(1)(c), 20(1)(a), 20(1)(b), 20(1)(c), 20(1)(d), 20(1)(e), 35, 36, 37, 38, 40, 43 and 46 of the Security of Networks and Information Systems Law ,2020, the Digital Security Authority issues the following Decision.

## PART I

### Introductory Provisions

Short title.

1. This Decision may be cited as the Security of Networks and Information Systems (Security Measures of Operators of Essential Services and of Operators of Critical Information Infrastructure) (Amending) Decision , 2020, Decision of 2022.

Interpretation.

2. (1) In this Decision, unless the context otherwise requires:

P.I.389/2020.

"Decision" means the Security of Networks and Information Systems (Security Measures of Operators of Essential Services and of Operators of Critical Information Infrastructure) Decision of 2020, as amended or substituted for the time being;

89(I)/2020,  
No. 4770 of 12<sup>th</sup> of  
August 2020, First  
Supplement , Part I.

"Law" means the Security of Networks and Information Systems Law, 2020, as from time to time amended or substituted;

Official Journal of  
the EU:  
L194,19.7.2016, p.1.

Official Journal of  
the EU:  
L 321,17.12.2018,  
σ.36.

«Directive (EU) 2016/1148» means Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning

measures for a high common level of security of network and information systems across the Union;

«Directive (EU) 2018/1972» means Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code;

(2) Any terms used in this Decision which are not defined otherwise, shall have the meaning assigned to them by the Law.

Purpose.

**3.** The purpose of this Decision is to amend the Security of Networks and Information Systems (Security Measures of Operators of Essential Services and of Operators of Critical Information Infrastructure) Decision, 2020, for compliance of the providers of network and/or electronic communications services and the digital service providers with the requirements and obligations of the Law, those of the Directive (EU) 2016/1148 as well as those of the Directive (EU) 2018/1972.

## PART II

### Amendments

Amendment of Preamble.

**4.** The Preamble is hereby amended as follows:

(a) by the addition of the word "Preamble" as a side title.

(b) by the substitution of the Preamble as follows:

“ In the exercise of the powers granted to it by sections 17(q), 17(r), 17(s), 17(v), 17(x), 17(ee), 19(1)(a), 19(1)(b), 19(1)(c), 20(1)(a), 20(1)(b), 20(1)(c), 20(1)(d), 20(1)(e), 35, 36, 37, 38, 40, 43 and 46 of the Security of Networks and Information Systems Law, 2020 and taking into account the Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 as well as the Directive

(EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018, the Digital Security Authority issues the following Decision which defines the framework of the minimum security measures for networks and information systems and which aims to assist the Operators of Essential Services, the Operators of Critical Information Infrastructures, the Providers of Networks and/or Electronic Communications Services and the Providers of Digital Services, to comply with the requirements and obligations of the Law, Directive (EU) 2016/1148 as well as Directive (EU) 2018/1972.”.

Amendment of  
Short title.

5. The Short title is hereby amended by its substitution as follows:

«This Decision may be cited as the Security of Networks and Information Systems (Security Measures of Operators of Essential Services, Critical Information Infrastructure Operators, Network and/or Electronic Communications Service Providers and Digital Service Providers) Decision.»

Amendment of  
Part I.

6. Article 2, paragraph (1), of the Decision, is hereby amended by the substitution of the definition of "operator" as follows:

"operator" means an operator of essential services and/or an operator of critical information infrastructure and/or a provider of networks and/or electronic communications services and/or a provider of digital services;

Amendment of  
Part I.

7. Article 2, paragraph (1), of the Decision, is hereby amended by the addition after the definition "Small-sized Organization" of the definition "guidelines" as follows:

"guidelines" means the Decisions issued by the Authority pursuant to section 46 of the Law and which aim at clarifying and regulating the procedures, methods, and time limits of this Decision;

Amendment of Part I.	<b>8.</b> Article 2, paragraph (2) of the Decision is hereby amended by the substitution for the phrase "in this Order" of the phrase "in this Decision ».
Amendment of Part II.	<b>9.</b> Article 5 of the Decision is hereby amended by the deletion of the word "licensed" in line 1 thereof.
Amendment of Part IV.	<b>10.</b> Article 9 of the Decision is hereby amended by the substitution for the word "provider" in line 7 thereof of the word "operator".
Amendment of Part VI.	<b>11.</b> Article 15, paragraph (1) of the Decision is hereby amended by the insertion in line 6 thereof of the phrase "or critical information infrastructure operators" after the phrase "and/or network providers and/or providers of electronic communications services" .
Amendment of Part IX.	<b>12.</b> Article 19, paragraph (1) point (c), of the Decision is hereby amended by the substitution for the word "provider" in line 2 thereof of the word "operator".
Amendment of Annex III.	<b>13.</b> Schedule III, point 1.1 #RM4 of the Decision is hereby amended by the addition after the phrase "provided by Operators of Essential Services or Operators of Critical Information Infrastructure" in line 20 thereof , in the column "Description of Measure", of the phrase "or the provider of networks and/or electronic communications services or the provider of digital services.

### PART III

#### Final Provisions

Amendments.	<b>14.</b> The Authority may by its Decision repeal/replace, amend and/or supplement the Decision and/or the Schedules thereof. The Authority may carry out a public consultation in order to amend or supplement the Decision and/or the Schedules thereof. Each amendment shall be
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published in the Official Gazette of the Republic and shall be posted on the Authority's website.

## EXPLANATORY STATEMENT

The Security of Networks and Information Systems (Security Measures of Operators of Essential Services and of Operators of Critical Information Infrastructure) Decision of 2020 is amended in order for the providers of network and/or electronic communications services and the digital service providers to comply with the requirements and the obligations of the Law, those of the Directive (EU) 2016/1148 as well as those of the Directive (EU) 2018/1972.